

3SHB 1226 - S AMD 292
By Senator Kastama

OUT OF ORDER 03/01/2006

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 42.17.640 and 2005 c 445 s 11 are each amended to
4 read as follows:

5 (1) The contribution limits in this section apply to:

6 (a) Candidates for state legislative office;

7 (b) Candidates for state office other than state legislative
8 office;

9 (c) Candidates for county office in a county that has over two
10 hundred thousand registered voters as of the effective date of this
11 act, unless provided otherwise by ordinance or resolution;

12 (d) Candidates for special purpose district office if that district
13 is authorized to provide freight and passenger transfer and terminal
14 facilities and that district has over two hundred thousand registered
15 voters;

16 (e) Persons holding an office in (a) through (d) of this subsection
17 against whom recall charges have been filed or to a political committee
18 having the expectation of making expenditures in support of the recall
19 of a person holding the office;

20 (f) Caucus political committees;

21 (g) Bona fide political parties.

22 (2) No person, other than a bona fide political party or a caucus
23 political committee, may make contributions to a candidate for a state
24 legislative office or county office that in the aggregate exceed seven
25 hundred dollars or to a candidate for a public office in a special
26 purpose district or a state office other than a state legislative
27 office that in the aggregate exceed one thousand four hundred dollars
28 for each election in which the candidate is on the ballot or appears as
29 a write-in candidate. Contributions to candidates subject to the
30 limits in this section made with respect to a primary may not be made

1 after the date of the primary. However, contributions to a candidate
2 or a candidate's authorized committee may be made with respect to a
3 primary until thirty days after the primary, subject to the following
4 limitations: (a) The candidate lost the primary; (b) the candidate's
5 authorized committee has insufficient funds to pay debts outstanding as
6 of the date of the primary; and (c) the contributions may only be
7 raised and spent to satisfy the outstanding debt. Contributions to
8 candidates subject to the limits in this section made with respect to
9 a general election may not be made after the final day of the
10 applicable election cycle.

11 ~~((+2))~~ (3) No person, other than a bona fide political party or a
12 caucus political committee, may make contributions to a state official,
13 a county official, or a public official in a special purpose district
14 against whom recall charges have been filed, or to a political
15 committee having the expectation of making expenditures in support of
16 the recall of the state official, county official, or public official
17 in a special purpose district during a recall campaign that in the
18 aggregate exceed seven hundred dollars if for a state legislative
19 office or county office or one thousand four hundred dollars if for a
20 special purpose district office or a state office other than a state
21 legislative office.

22 ~~((+3))~~ (4)(a) Notwithstanding subsection ~~((+1))~~ (2) of this
23 section, no bona fide political party or caucus political committee may
24 make contributions to a candidate during an election cycle that in the
25 aggregate exceed (i) seventy cents multiplied by the number of eligible
26 registered voters in the jurisdiction from which the candidate is
27 elected if the contributor is a caucus political committee or the
28 governing body of a state organization, or (ii) thirty-five cents
29 multiplied by the number of registered voters in the jurisdiction from
30 which the candidate is elected if the contributor is a county central
31 committee or a legislative district committee.

32 (b) No candidate may accept contributions from a county central
33 committee or a legislative district committee during an election cycle
34 that when combined with contributions from other county central
35 committees or legislative district committees would in the aggregate
36 exceed thirty-five cents times the number of registered voters in the
37 jurisdiction from which the candidate is elected.

1 ~~((4))~~ (5)(a) Notwithstanding subsection ~~((2))~~ (3) of this
2 section, no bona fide political party or caucus political committee may
3 make contributions to a state official, county official, or a public
4 official in a special purpose district against whom recall charges have
5 been filed, or to a political committee having the expectation of
6 making expenditures in support of the state official, county official,
7 or a public official in a special purpose district during a recall
8 campaign that in the aggregate exceed (i) seventy cents multiplied by
9 the number of eligible registered voters in the jurisdiction entitled
10 to recall the state official if the contributor is a caucus political
11 committee or the governing body of a state organization, or (ii)
12 thirty-five cents multiplied by the number of registered voters in the
13 jurisdiction from which the candidate is elected if the contributor is
14 a county central committee or a legislative district committee.

15 (b) No ~~((state))~~ official holding an office specified in subsection
16 (1) of this section against whom recall charges have been filed, no
17 authorized committee of the official, and no political committee having
18 the expectation of making expenditures in support of the recall of ~~((a~~
19 ~~state))~~ the official may accept contributions from a county central
20 committee or a legislative district committee during an election cycle
21 that when combined with contributions from other county central
22 committees or legislative district committees would in the aggregate
23 exceed thirty-five cents multiplied by the number of registered voters
24 in the jurisdiction from which the candidate is elected.

25 ~~((5))~~ (6) For purposes of determining contribution limits under
26 subsections ~~((3) and)~~ (4) and (5) of this section, the number of
27 eligible registered voters in a jurisdiction is the number at the time
28 of the most recent general election in the jurisdiction.

29 ~~((6))~~ (7) Notwithstanding subsections ~~((1))~~ (2) through ~~((4))~~
30 (5) of this section, no person other than an individual, bona fide
31 political party, or caucus political committee may make contributions
32 reportable under this chapter to a caucus political committee that in
33 the aggregate exceed seven hundred dollars in a calendar year or to a
34 bona fide political party that in the aggregate exceed three thousand
35 five hundred dollars in a calendar year. This subsection does not
36 apply to loans made in the ordinary course of business.

37 ~~((7))~~ (8) For the purposes of RCW 42.17.640 through 42.17.790, a
38 contribution to the authorized political committee of a candidate~~((7))~~

1 or of (~~(a state)~~) an official specified in subsection (1) of this
2 section against whom recall charges have been filed(~~(7)~~) is considered
3 to be a contribution to the candidate or (~~(state)~~) official.

4 (~~(+8)~~) (9) A contribution received within the twelve-month period
5 after a recall election concerning (~~(a state)~~) an office specified in
6 subsection (1) of this section is considered to be a contribution
7 during that recall campaign if the contribution is used to pay a debt
8 or obligation incurred to influence the outcome of that recall
9 campaign.

10 (~~(+9)~~) (10) The contributions allowed by subsection (~~(+2)~~) (3) of
11 this section are in addition to those allowed by subsection (~~(+1)~~) (2)
12 of this section, and the contributions allowed by subsection (~~(+4)~~)
13 (5) of this section are in addition to those allowed by subsection
14 (~~(+3)~~) (4) of this section.

15 (~~(+10)~~) (11) RCW 42.17.640 through 42.17.790 apply to a special
16 election conducted to fill a vacancy in (~~(a state)~~) an office specified
17 in subsection (1) of this section. However, the contributions made to
18 a candidate or received by a candidate for a primary or special
19 election conducted to fill such a vacancy shall not be counted toward
20 any of the limitations that apply to the candidate or to contributions
21 made to the candidate for any other primary or election.

22 (~~(+11)~~) (12) Notwithstanding the other subsections of this
23 section, no corporation or business entity not doing business in
24 Washington state, no labor union with fewer than ten members who reside
25 in Washington state, and no political committee that has not received
26 contributions of ten dollars or more from at least ten persons
27 registered to vote in Washington state during the preceding one hundred
28 eighty days may make contributions reportable under this chapter to a
29 candidate, to a state official against whom recall charges have been
30 filed, or to a political committee having the expectation of making
31 expenditures in support of the recall of the official. This subsection
32 does not apply to loans made in the ordinary course of business.

33 (~~(+12)~~) (13) Notwithstanding the other subsections of this
34 section, no county central committee or legislative district committee
35 may make contributions reportable under this chapter to a candidate(~~(7~~
36 ~~state official)~~) specified in subsection (1) of this section, or an
37 official specified in subsection (1) of this section against whom
38 recall charges have been filed, or political committee having the

1 expectation of making expenditures in support of the recall of ((a
2 state)) an official specified in subsection (1) of this section if the
3 county central committee or legislative district committee is outside
4 of the jurisdiction entitled to elect the candidate or recall the
5 ((state)) official.

6 ((+13+)) (14) No person may accept contributions that exceed the
7 contribution limitations provided in this section.

8 ((+14+)) (15) The following contributions are exempt from the
9 contribution limits of this section:

10 (a) An expenditure or contribution earmarked for voter
11 registration, for absentee ballot information, for precinct caucuses,
12 for get-out-the-vote campaigns, for precinct judges or inspectors, for
13 sample ballots, or for ballot counting, all without promotion of or
14 political advertising for individual candidates; or

15 (b) An expenditure by a political committee for its own internal
16 organization or fund raising without direct association with individual
17 candidates.

18 NEW SECTION. Sec. 2. A new section is added to chapter 42.17 RCW
19 to read as follows:

20 (1) No person may make contributions to a candidate for the state
21 supreme court or court of appeals that in the aggregate exceed one
22 thousand four hundred dollars for each election in which the candidate
23 is on the ballot or appears as a write-in candidate. Contributions
24 made with respect to a primary may not be made after the date of the
25 primary. However, contributions to a candidate or a candidate's
26 authorized committee may be made with respect to a primary until thirty
27 days after the primary, subject to the following limitations: (a) The
28 candidate lost the primary; (b) the candidate's authorized committee
29 has insufficient funds to pay debts outstanding as of the date of the
30 primary; and (c) the contributions may only be raised and spent to
31 satisfy the outstanding debt. Contributions made with respect to a
32 general election may not be made after the final day of the applicable
33 election cycle.

34 (2) This section through RCW 42.17.790 apply to a special election
35 conducted to fill a vacancy in an office. However, the contributions
36 made to a candidate or received by a candidate for a primary or special

1 election conducted to fill such a vacancy will not be counted toward
2 any of the limitations that apply to the candidate or to contributions
3 made to the candidate for any other primary or election.

4 (3) No person may accept contributions that exceed the contribution
5 limitations provided in this section.

6 (4) The dollar limits in this section must be adjusted according to
7 RCW 42.17.690.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 42.17 RCW
9 to read as follows:

10 The commission shall adopt rules to carry out the policies of this
11 act and is not subject to the time restrictions of RCW 42.17.370(1).

12 **Sec. 4.** RCW 42.17.700 and 1993 c 2 s 10 are each amended to read
13 as follows:

14 (1) Contributions to candidates for state office made and received
15 before December 3, 1992, are considered to be contributions under RCW
16 42.17.640 through 42.17.790. Monetary contributions that exceed the
17 contribution limitations and that have not been spent by the recipient
18 of the contribution by December 3, 1992, must be disposed of in
19 accordance with RCW 42.17.095.

20 (2) Contributions to other candidates subject to the contribution
21 limits of this chapter made and received before the effective date of
22 this act are considered to be contributions under RCW 42.17.640 through
23 42.17.790. Contributions that exceed the contribution limitations and
24 that have not been spent by the recipient of the contribution by the
25 effective date of this act must be disposed of in accordance with RCW
26 42.17.095 except for subsections (6) and (7) of that section.

27 **Sec. 5.** RCW 42.17.710 and 2003 c 164 s 3 are each amended to read
28 as follows:

29 (1) During the period beginning on the thirtieth day before the
30 date a regular legislative session convenes and continuing thirty days
31 past the date of final adjournment, and during the period beginning on
32 the date a special legislative session convenes and continuing through
33 the date that session adjourns, no state official or a person employed
34 by or acting on behalf of a state official or state legislator may
35 solicit or accept contributions to a public office fund, to a candidate

1 or authorized committee, or to retire a campaign debt. Contributions
2 received through the mail after the thirtieth day before a regular
3 legislative session may be accepted if the contribution is postmarked
4 prior to the thirtieth day before the session.

5 (2) This section does not apply to activities authorized in RCW
6 43.07.370.

7 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and takes effect
10 immediately."

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11 On page 1, line 1 of the title, after "limits;" strike the
12 remainder of the title and insert "amending RCW 42.17.640, 42.17.700,
13 and 42.17.710; adding new sections to chapter 42.17 RCW; and declaring
14 an emergency."

EFFECT: Unless provided otherwise by ordinance or resolution,
contribution limits of \$700 apply to candidates for county offices in
counties with over 200,000 registered voters as of the effective date
of this act (King, Pierce, Snohomish, Spokane).

Contribution limits of \$1,400 apply to candidates for port district
commissioner in port districts with over 200,000 registered voters
(King, Pierce) and to candidates for Supreme Court and the Court of
Appeals.

Clarifies that the postmark date is the date that determines
whether an incumbent candidate has received a contribution within 30
days of the beginning of the legislative session.

This striking amendment is different from the committee striking
amendment in that it removes from the committee amendment the addition
of races for municipal, district, and superior court judge from
contribution limits; reinstates the emergency clause.

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